

HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:21143 OF 2007

Dated:06.10.2007

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Between:

B. Sreenivasulu

..Petitioner

And

1. The Director General of Posts-India,
New Delhi and others.

..Respondents.

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HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&

HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:21143 OF 2007

ORDER: (per Hon'ble Smt. Justice T. Meena Kumari)

The present writ petition is filed by the petitioner challenging the order, dated 18.6.2007 passed in O.A.No.289 of 2007 by the Central Administrative Tribunal.

The petitioner herein is the applicant before the Tribunal. He filed the above O.A., seeking to call for the records pertaining to the applicant's answer sheets of Inspector of Post Offices Examination held during the period from 12.8.2005 to 14.8.2005 and to direct the respondents to revalue paper I by an independent examiner.

Since there was no representation on behalf of the applicant, the tribunal having heard the Senior Central Government Standing Counsel for the respondents and having observed that as per Rule 15 of the Rules of Recruitment, which deal with revaluation of answer books, revaluation of answer sheets is not permissible and the said rules permit only re-totalling under Rule 14(d) and the said exercise of retotalling has already been done, dismissed the O.A. Having aggrieved by the same, the present writ petition has been preferred by the petitioner-applicant.

Heard the learned Counsel for the petitioner and the learned Standing Counsel and perused the material available on record.

On a perusal of the material available on record, it is apparent that the order impugned is not on merits. It is the case of the petitioner that the tribunal has passed the order without application of mind and

without looking into the facts and circumstances of the case. In a case of this nature, the applicant must be diligent in prosecuting his case, but neither he was present nor any representation was made on his behalf when the matter came up for hearing before the tribunal. Therefore, the contention of the petitioner that the tribunal did not look into the matter, shatters to ground. Apart from that, the rule itself contemplates that the revaluation of answer sheets is not permissible as rightly observed by the tribunal.

In these facts and circumstances of the case, We are of the opinion that the order of the tribunal does not suffer from any illegality or irregularity and the present writ petition is devoid of merits and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

Justice T. Meena Kumari

Justice G. Chandraiah

Date: 6th October, 2007

Nn/Gurc.

**HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH**

WRIT PETITION No:21143 OF 2007

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

6/10/2007